

FIRST REGULAR SESSION

SENATE BILL NO. 100

94TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR MAYER.

Pre-filed December 1, 2006, and ordered printed.

TERRY L. SPIELER, Secretary.

0493S.01I

AN ACT

To amend chapter 376, RSMo, by adding thereto one new section relating to the provision of certain claims information by health carriers.

Be it enacted by the General Assembly of the State of Missouri, as follows:

Section A. Chapter 376, RSMo, is amended by adding thereto one new
2 section, to be known as section 376.435, to read as follows:

**376.435. 1. As such terms are defined in section 376.1350, a health
2 carrier providing a group health benefit plan or plans to an employer
3 who meets the requirements specified in subsection 2 of this section
4 shall, upon request by the employer or the employer's producer of
5 record, provide a report of the total dollar amount and total number of
6 claims paid under the plan or plans for each of the prior three years or
7 for each year coverage was in place if less than three years at the time
8 of the request. In the case of an employer with multiple plans, the total
9 dollar amounts shall be aggregated into one report. The report shall be
10 provided within thirty days of the request. The information provided to
11 the employer or the employer's producer of record shall be furnished in
12 a manner that does not individually identify any employee or other
13 person covered by the health benefit plan and shall comply with all
14 applicable federal and state privacy laws regarding the disclosure of
15 health records.**

**16 2. Effective August 28, 2007, for purposes of subsection 1 of this
17 section, an employer is one who:**

**18 (1) Employs at least fifty-one employees either at the time of the
19 request or at the start of the reporting period; and**

**20 (2) Has been insured continuously with the health carrier or a
21 carrier affiliated with the health carrier for at least the preceding**

22 twenty-two months.

23 3. Effective January 1, 2009, and thereafter, the director of
24 insurance may establish by rule the minimum number of eligible
25 employees established under subdivision (1) of subsection 2 of this
26 section. The number shall not be equal to or less than the maximum
27 number of employees allowed for a "small employer" as defined in section
28 379.930, RSMo. Any rule or portion of a rule, as that term is defined in
29 section 536.010, RSMo, that is created under the authority delegated in
30 this section shall become effective only if it complies with and is subject
31 to all of the provisions of chapter 536, RSMo, and, if applicable, section
32 536.028, RSMo. This section and chapter 536, RSMo, are nonseverable
33 and if any of the powers vested with the general assembly pursuant to
34 chapter 536, RSMo, to review, to delay the effective date, or to
35 disapprove and annul a rule are subsequently held unconstitutional,
36 then the grant of rulemaking authority and any rule proposed or
37 adopted after January 1, 2009, shall be invalid and void.

Bill ✓

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